

**DEPARTMENT OF HEALTH SERVICES
DIVISION OF LICENSING SERVICES
OFFICE OF CHILD CARE LICENSING
#SP-033-DLS-CCL**

**CLARIFICATION OF R9-5-401(3)(a), OF CURRENT AND CONTINUOUS
ENROLLMENT IN HIGH SCHOOL OR A HIGH SCHOOL EQUIVALENCY
CLASS, TO BE AN ASSISTANT TEACHER-CAREGIVER.**

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes § 41-1033 for a review of the statement.

The purpose of this substantive policy statement is to clarify R9-5-401(3)(a), that establishes the assistant teacher-caregiver requirement of current and continuous enrollment in high school or a high school equivalency class.

R9-5-401(3) requires an assistant teacher-caregiver to provide the licensee with written documentation of one of the following:

- a. Current and continuous enrollment in high school or a high school equivalency class,
- b. High school or high school equivalency diploma,
- c. Enrollment with a STRIVE program, or
- d. Enrollment in vocational rehabilitation as defined in A.R.S. § 23-501(8).

R9-5-401(3)(a) requires that an individual must provide a licensee with written documentation of current and continuous enrollment in high school or a high school

equivalency class, in order to be qualified as a teacher-caregiver at a licensed child care facility. The rule does not mention whether a student currently enrolled in an accredited college or university meets the requirement for current and continuous enrollment in high school or a high school equivalency class.

The Department has determined that an assistant teacher-caregiver may meet the requirement of current and continuous enrollment in high school or a high school equivalency class by providing the licensee with written documentation of current and continuous enrollment in an accredited college or university. If an assistant teacher-caregiver is currently enrolled in an accredited college or university, the Department will accept this as meeting the minimal requirement of a high school or high school equivalency class because a college level class is at least equal to, or exceeds the education level of a high school or high school equivalency class.